

REMARKS

Reconsideration of this application as amended is respectfully requested. Claims 1 and 12 have been amended; claims 23-32 have been canceled. As a result, claims 1-22 are in this application and are presented for the Examiner's consideration in view of the following comments.

At the outset, claims 23-32 have been canceled without regard to the Office Action.

The Examiner has objected to the Abstract as being more than one paragraph. Applicants' representative respectfully disagrees. Applicants' representative's copies of the filed application show the Abstract as being one paragraph. In addition, below is a copy of the relevant portion of the corresponding published application – clearly showing a one paragraph Abstract. Applicants' representative respectfully requests that this objection to the specification be removed.

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(12) Patent Application Publication	
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(54) THEATER IDENTIFICATION SYSTEM UTILIZING IDENTIFIERS PROJECTED ONTO A SCREEN	Publication Classification
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Correspondence Address: THOMSON LICENSING INC. PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312 (US)	(57) ABSTRACT
(21) Appl. No.: 10/567,941	A method and a system for identifying a copy of an image sequence that is presented on a screen. At least one identifier distinct from the image sequence is projected such that the identifier is displayed on the screen using visible light along with the image sequence. The identifier can be presented at periodic intervals and can define a theater location, a date and/or a time. A color and/or an illumination of at least a portion of the image sequence presentation can be measured. Based on the measured illumination and/or color, a projection brightness and/or color can be determined for the identifier. Also, a location on the screen where the identifier should be projected can be determined.
(22) PCT Filed: Jul. 28, 2004	
(86) PCT No.: PCT/US04/24337	
Related U.S. Application Data	
(60) Provisional application No. 60/496,116, filed on Aug. 19, 2003.	

The Examiner has objected to the drawings in view of claims 27, and 28-32. In view of the cancellation of claims 27-32, the basis for this objection has been removed.

Claims 1-7, 11-18, 21, 23, and 27-30 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,959,717 issued September 28, 1999 to Chaum (*Chaum*). Applicants respectfully disagree. As noted earlier, without regard to the Office Action claims 23 and 27-30 have been cancelled.

Applicants' claims 1 and 12 particularly require

- (1) projecting onto the screen at least one identifier distinct from the image sequence being presented on the screen; and
- (2) such that the identifier is displayed using visible light.

In contrast, *Chaum* is very different from Applicants' claimed invention.

First, *Chaum* does not display an identifier as required by Applicants' claims 1 and 12. *Chaum* is a composite image system. (*Chaum*, col. 1, lns. 60-63.) In other words, the film component is modified with regard to a "protection area". A second video projector provides an image for this "protection area". (*Chaum*, col. 2, lns. 1-19.) In one variation, the second video projector of *Chaum* provides a missing portion of the film. (*Chaum*, col. 1, ln. 66 to col. 2, ln. 4.) While this may be visible to the audience, this is not an identifier. In another variation, the second video projector of *Chaum* provides either a "positive" or a "negative" image. While this could arguably take the form of an identifier, it is important to note that

the protection area becomes invisible on the screen.

Chaum, col. 2, lns. 15-16; emphasis added.

Indeed, *Chaum* makes it quite clear that nothing is displayed to the Audience:

[i]n another aspect, the invention includes a method and apparatus for displaying a composite image, including projecting a first image having at least one portion of the image altered to provide at least one protection area; and projecting separately a second image having image content to obscure each protection area; wherein the first image and second image form a composite image in which each protection area is essentially invisible to the human eye.

Chaum, col. 2, lns. 57-64; emphasis added.

Thus, *Chaum* does not display an identifier as claimed by Applicants. Although other portions of *Chaum* relate to the subsequent theft of the image, at that point there is no composite image and no video projector 12. (*Chaum*, col. 1, ln. 65 to col. 2, ln. 7.)

In view of the above, the wording of Applicants' claims 1 and 12 are clearly different than *Chaum*, present a different technical solution than *Chaum* and has a different technical effect than *Chaum*.

Regardless, in the interests of furthering prosecution, Applicants have amended independent claims 1 and 12 to require that "the identifier is overlaid over the presented image". As described above, the composite image system of *Chaum* does not overlay a visible identifier as claimed by Applicants.

With regard to the dependent claims, Applicants respectfully note that nowhere does *Chaum* describe or suggest the various requirements of Applicants' dependent claims for at least the following reasons.

For example, with regard to Applicants' dependent claims 3 and 14, the Examiner points to col. 4, ln. 10, of *Chaum*. This portion of *Chaum* is shown below.

FIG. 1 is a block diagram showing a first preferred embodiment of the present invention. One aspect of the invention includes a combination film projector 10 and video projector 12 for showing a single composite motion picture 14. In particular, the video projector 12 is used to provide image content for a video display subarea 16 on the projected film image. As will be described in further detail below, the combination of both a film projector 10 and video projector 12 provides a number of benefits. In an alternative embodiment, the two projectors may comprise first and second video projectors. In an alternative embodiment, multiple projectors of the same or different technologies may be used.

Chaum, col. 4, lns. 6-17.

As can be observed from the above cited portion of *Chaum* – nowhere is there any description or suggestion of **determining a projection location of the at least one identifier based upon the measured illumination** as required by Applicants' claims 3 and 14. Indeed, the positive and negative areas of the film described in *Chaum* are

fixed such that they do not change when the movie is presented to the audience. Thus, *Chaum* teaches away from determining a projection location based upon the measured illumination as claimed by Applicants.

Similar comments also apply to Applicants' dependent claims 4 and 15. Nowhere does *Chaum* describe or suggest **measuring a color of light in a portion of the image sequence** and then **determining a projection color for the identifier** as claimed by Applicants. Although col. 4, lns. 42-60 of *Chaum* describe "brightness" – this is related to the intensity of light – not the color, which is related to the frequency of light. Indeed, the positive and negative areas of the film described in *Chaum* are fixed such that they do not change when the movie is presented to the audience. Thus, again, *Chaum* teaches away from determining a projection color as claimed by Applicants.

Likewise, similar comments also apply to Applicants' dependent claims 5 and 16. Nowhere does *Chaum* describe or suggest determining the projection location of the identifier based upon the measured color of light. As noted, the positive and negative areas of the film described in *Chaum* are fixed such that they do not change when the movie is presented to the audience. Thus, again, *Chaum* teaches away from determining a projection location based upon the measured color of light as claimed by Applicants.

Regardless, in the interests of further prosecution Applicants have amended independent claims 1 and 12 to make clear Applicants' claimed invention by further requiring that the identifier is overlaid over the presented image.

In view of the above, Applicants respectfully submit that independent claims 1 and 12 are not anticipated by *Chaum*. As a result, dependent claims 2-7, 11, 13-18 and 21 are also not anticipated by *Chaum*.

Claims 8-10, 19-21, 24-26 and 31-32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Chaum* in view of U.S. Patent No. 7,231,062 issued June 12, 2007 to Zhang et al. (*Zhang*). Applicants respectfully traverse this rejection for the reasons described above with respect to independent claims 1 and 12. As noted

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earlier, without regard to the Office Action claims 24-26 and 31-32 have been cancelled.

However, Applicants would like to note the following. All of these claims have to do with forward error correction. Nowhere does *Chaum* describe or suggest the use of forward error correction. Further, the system described in *Chaum* with regard to the arguable use of an identifier relies on a blended composite image. When the film has been copied, one portion of the blended image is now visible. Thus, forward error protection is not needed at all. As such, one skilled in the art would not add such a feature to the system of *Chaum*. Thus, *Chaum* teaches away from the use of forward error correction as claimed by Applicants.

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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